

REGULAR CITY COUNCIL MEETING
MARCH 23, 1998

PRESENT

R. Dale Roper
Wesley Bloomfield
Gayle Bunker
Bruce Curtis
Robert Dekker
Glen Swalberg

Mayor
Council Member
Council Member
Council Member
Council Member
Council Member

ABSENT

Richard Waddingham

City Attorney

ALSO PRESENT

Dorothy Jeffery
Neil Forster
Judy Baker
Greg Schafer
Dallin Jeffery
Brian Monsen
Chad Losee
Derin Phelps
Curt Crosby
Kenneth Topham
Bobbie Killpack
Brent Olsen
Arlene Brockbank
Georgia Hare

City Recorder
Public Works Director
City Treasurer
City Employee
Scout
Scout
Scout
Millard County Chronicle/Progress
KNAK Radio
Superintendent, Millard School District
Millard County School Board Member
Millard County School Board President
Millard School District Dir. of Spec. Ed.
Central Utah Mental Health

Mayor Roper called the meeting to order at 7:00 p.m. Dorothy Jeffery, City Recorder, acted as Secretary. Mayor Roper stated that notice of the meeting time, place, and agenda was posted at the principal office of the governing body, located at 76 North 200 West, and was provided to the Millard County Chronicle/Progress, KNAK Radio, and to each member of the City Council, by personal delivery, at least two days prior to the meeting.

Council Member Robert Dekker offered an invocation, after which Mayor Roper led the Council in the Pledge of Allegiance.

MINUTES

The minutes of a Regular City Council Meeting held on March 9, 1998 were presented for consideration and approval.

Several minor changes were noted by Council Members. Following discussion, Council Member Gayle Bunker MOVED to approved the minutes of the Regular City Council Meeting held on March 9, 1998, as corrected. The motion was SECONDED by Council Member Bruce Curtis. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

ACCOUNTS PAYABLE

The Council reviewed the accounts payable, a copy of which had been given to them two days prior to the meeting. Following discussion, Council Member Robert Dekker MOVED to approve the accounts payable, in the amount of \$34,239.10. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

UNFINISHED BUSINESS

There were no items of unfinished business on the agenda.

NEW BUSINESS

COUNCIL MEMBER GAYLE BUNKER: DITCH TAX AND IRRIGATION WATER RATES FOR 1998

Council Member Gayle Bunker advised the Council that it is time to set the ditch tax and irrigation water rates for the 1998 irrigation season. He noted that the ditch tax was \$30 and irrigation water rental rate was \$30 per acre foot of water. Council Member Bunker discussed the matter with Public Works Director Neil Forster and they feel that the same rates would be adequate for this year.

Following discussion, Council Member Gayle Bunker MOVED to establish the ditch tax and water rental fees for the 1998 irrigation season in Delta City at \$30 for ditch tax and \$30 per acre foot of water rental. The motion was SECONDED by Council Member Wesley Bloomfield. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

MAYOR DALE ROPER: RESOLUTION APPOINTING ENVIRONMENTAL CERTIFYING OFFICER

Mayor Roper noted that each Council Member has a copy of a proposed resolution as follows:

RESOLUTION NO. 98-252

A RESOLUTION TO DESIGNATE AN ENVIRONMENTAL CERTIFYING OFFICER FOR DELTA CITY, UTAH

Mayor Roper explained that this resolution is a part of the requirements for use of the Community Development Block Grant (CDBG) monies for any project in the community. If buildings are not being demolished and oil spills, etc. are not being cleaned up, the CDBG allows for an Environmental Study rather than an Impact Statement. In order to use the Environmental Study, the community must designate a position in the City government as an Environmental Certifying Officer to conduct the study.

The proposed resolution would designate the position of Mayor as Environmental Certifying Officer for Delta City, to act on a case-by-case basis for purposes of complying with certain federal or state grants or loans.

Following Mayor Roper's explanation of the proposed resolution, Council Member Robert Dekker MOVED to adopt Resolution No. 98-252 designating an Environmental Certifying Officer for Delta City, Utah. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a roll call vote. The voting was as follows:

Wesley Bloomfield	Yes
Gayle Bunker	Yes
Bruce Curtis	Yes
Robert Dekker	Yes
Glen Swalberg	Yes

The motion passed unanimously.

SUPERINTENDENT KENNETH TOPHAM, MILLARD COUNTY SCHOOL BOARD:
CHANGES IN ALTERNATIVE LEARNING CENTER (ALC) PROGRAM

Superintendent Kenneth Topham explained that the Millard County School Board is seeking the support and permission of the Council to move a portable building into the area just North of the School District office. The building would be used to house the students which would normally qualify to attend the West Central Valley High School (Alternative Learning Center). The program for these students is being changed, which will require the School District to have a new facility for those students by the fall of 1998.

The changes being made will require less space than is currently being used, but will require that the facility be open longer hours during the school week, Monday through Friday.

Superintendent Topham recognized Mr. Brent Olsen, President of the School Board, Mrs. Bobbie Killpack, Board Member, and Arlene Brockbank, Director of Special Education. Ms. Brockbank

has the responsibility of working with the "at risk" students. Superintendent Topham asked Ms. Brockbank to explain the details of the program changes.

Ms. Brockbank distributed an outline of her presentation to the Mayor and Council Members. Ms. Brockbank stated that the changes in the program will involve a complete change of direction, which will result in the program being not a high school, but a life skills center, in which the students will be able to follow four different tracks, depending upon the type of course work needed by the student. The course work includes Remedial Coursework, Behavior Management & Guidance Coursework, Parental & Child Development Coursework, and Full High School Coursework. The course offerings will be available twelve hours per day, 8:00 a.m. to 8:00 p.m.

Ms. Brockbank explained that the enrollment will be done individually and pre-assessment testing will be done on every student individually in order to evaluate which track of course work is needed, or if more than one track of course work is required. Individual guidance will be a part of the program, along with accountability and a reduced student/teacher ratio. The completion of course work will be determined by testing criteria, rather than time spent in class. The time spend in class will be flexible and will meet the individual student needs.

The success of this type program will depend on firm standards and discipline expected of the students. The standards will be set much higher than those in the current program for these students and will include 100% compliance with all School District policies and will require 92% attendance for each quarter, or two day absences per quarter.

The program will be staffed by a school psychologist/counselor, a certified Special Education teacher, a Youth in Custody teacher, and regular Secondary certified teachers.

Mayor Roper asked where the students would be when they are not in class all day. Ms. Brockbank explained that the students would be required to be either at work or at home if not in class. The program is designed to work around schedules of those students who are working.

Council Member Dekker asked if this program would involve students moving between this program and high school or if this program will be in lieu of high school. Ms. Brockbank stated that this program is designed to be in lieu of high school attendance.

Ms. Brockbank explained that the goal of this program is to make it possible for students to obtain a high school diploma regardless of the situations or hardships they are dealing with. Those students who lack the motivation to do high school work will be enrolled, but will be put into the Behavior Management & Guidance Coursework and will receive a great deal of counseling and guidance. Those are the students who will receive more attention and direction in the program.

It is expected that the enrollment will be approximately 50 to 60 students. This program would be for temporary attendance, depending on skill level, then the student would return to the high school to complete requirements for graduation, or be out of the school system.

Following the presentation by Ms. Brockbank, Superintendent Topham addressed the Council regarding ideas for placement of the building. The building would be approximately 28' x 68' and contain two classrooms, which would hold 30 students, and a restroom. The proposed location for placement of the building would be either on the East side of the School District Office or on the North side of the School District Office near 100 North Street. Superintendent Topham noted that the preference of the School Board would be to locate the building on the East side of the School District Office.

Superintendent Topham also advised the Council that, in the event that a new School District Office building is constructed in the future, the present office would be abandoned and would probably convert the present School District Office into the Lifeskills Center. However, construction of a new School District Office would be several years in the future.

Council Member Bloomfield asked if the School Board had considered placing the building at approximately 280 East 300 North, near the School District Warehouse and the Delta Technical Center. Superintendent Topham explained that the School Board has discussed the possibility of placing the building on that location, but would like to locate it farther away from the high school.

School Board President Brent Olsen stated that he would like to reaffirm the position of the School Board that this will be a "no nonsense" program, in which students who enroll at the Center will be expected to return to the high school program for graduation. It is the goal of the School Board to make this Center more conducive to education and remove it from the residential neighborhood where it is now located. One of the drawbacks of moving the program to the location near the Delta Technical Center is that the neighborhood in that area was very opposed to the program when the School District attempted to locate it there several years ago.

Council Member Bruce Curtis complimented the School Board on the concept of the program but felt that locating the Center near the School District Office would be a problem due to its close proximity to the city park. Superintendent Topham did not feel the result would be as negative as might be expected and felt that there would be very little impact on the park due to there being no students attending at night or on weekends.

Mayor Roper agreed that a place needs to be provided for those students who, for whatever reasons, are unsuccessful in the high school program, but expressed concern regarding locating the Center in such close proximity to the city park. Since discussing this proposal with the School District, he has been watching the park and noticed that it is used to a great extent during the day, especially during lunch time, even in winter time. Mayor Roper is concerned that anyone who might stop at a park and see a group of kids, any kids, would find it difficult to enjoy themselves, due to keeping a watchful eye on the group of kids. Any group of individuals have a tendency to make others nervous about the intent of the group.

Council Member Gayle Bunker expressed concern regarding parking of vehicles for the students. Superintendent Topham answered that he felt that the vehicles could be parked on 100 North Street, behind the park, School District Office, and City Building.

School Board Member Bobbie Killpack noted that other sites are being considered and expressed concern regarding neighborhoods being affected by the students attending the Alternative Learning Center. However, she has not heard any complaints of increased vandalism or theft in the area where the school is currently located. In addition, she noted that there would be more supervision, if the Center were located next to the School District Office, than would be available at any other location in Delta.

School Board President Brent Olsen reiterated that the School Board feels they want to change the program from how it currently operates to a very structured environment and they feel that, if they are going to make vast changes in the program, the location of the program also needs to be changed from its existing location.

Following extensive discussion, it was determined that Council Members and School Board Members would get together prior to the Regular City Council Meeting scheduled for Monday, April 13, 1998.

COUNCIL MEMBER GAYLE BUNKER: TRUCK PARKING ON CITY STREETS

Mayor Roper noted that the Council had previously discussed truck parking on City streets. Mayor Roper and Public Works Director Forster found Ordinance No. 93-151 which restricts oversize vehicle parking on City streets and includes parking restrictions in winter months to accommodate snow removal.

Mayor Roper and the Council reviewed the provisions of Ordinance No. 93-151 and discussed whether this ordinance restricts oversize vehicle parking to the extent necessary. Following discussion, Council Members agreed that Ordinance No. 93-151, as written, is adequate.

GEORGIA HARE, CENTRAL UTAH MENTAL HEALTH: PROPOSED SPONSORSHIP OF STUDENTS TO UNIVERSITY OF UTAH SCHOOL ON ALCOHOLISM AND OTHER DRUG DEPENDENCIES

Georgia Hare, of Central Utah Mental Health, advised the Council that the University of Utah School on Alcoholism and Other Drug Dependencies is scheduled for June 14-19, 1998. Ms. Hare explained that, if Delta City would pay half the tuition and room, the University of Utah will pay the other half, which is the same arrangement as in previous years. Ms. Hare explained that the cost of tuition is \$295 and the room is \$70, for a total of \$365.00, which would send two people to the school. Ms. Hare requests that the attendees pay the cost of meals.

The Council agreed that the program has been very beneficial and the area has benefited from knowledge gained by past participants. Ms. Hare told the Council that she would like to send Anna Reeder, who works with youth and youth programs in the area.

Curt Crosby, KNAK Radio, requested additional information regarding the program, which was provided by Ms. Hare.

Following discussion, Council Member Robert Dekker MOVED to pay one-half of the tuition and room costs for two people, a total of \$365.00, to attend the University of Utah School on Alcoholism and Other Drug Dependencies to be held June 14-19, 1998. The motion was SECONDED by Council Member Glen Swalberg. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

OTHER BUSINESS

Mayor Roper noted that he had inserted a copy of Resolution No. 84-110, establishing fees for connection and use of the Delta City water and sewer systems. Mayor Roper called attention to Page 2 where he had highlighted the sentence regarding a fee of \$5 per year per fire hydrant to be paid by Delta City into the municipal water account. Mayor Roper advised the Council that this fee was imposed when the water department was experiencing cash flow problems, and has been paid since prior to 1984. However, Mayor Roper feels that the fire department should not be required to pay rent on fire hydrants which protect the homes and businesses of Delta City residents.

Mayor Roper requested permission from the Council to have City Attorney Richard Waddingham amend Resolution No. 84-110 to delete the portion providing for rental on fire hydrants. Mayor Roper also noted that the rental fee amounts to approximately \$800 per year.

Council Member Glen Swalberg MOVED to have City Attorney Richard Waddingham amend Resolution No. 84-110 by deleting the requirement for rental on fire hydrants. The motion was SECONDED by Council Member Robert Dekker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Council Member Glen Swalberg presented the Council with a list of names of suggested persons to be assigned to the Certified Local Government Committee for Historic Preservation & Development. The current committee members have requested that they be replaced. The committee consists of a chairman and three committee members. No action was taken at this time; the matter will be discussed at a future Council meeting.

Mayor Roper advised the Council that there are two places in Delta where requests have been made for curb, gutter and sidewalk replacement. The first place is a new home on 200 West, which is owned by Alan Roper. Mr. Roper is requesting that the broken sidewalk be replaced on the 200 West side of his house is willing to participate in the cost of the replacement. The second place is a section of sidewalk, approximately 120 feet long, near the new Millard County Office.


Mayor Roper proposed to replace the sidewalk in the two areas, with the stipulation that Mr. Roper and Millard County pay one-half the cost of repairing existing curb, gutter and sidewalks adjacent

to their property, due to new construction on the property. Mr. Roper will be required to pay one-half the cost of installation of curb and gutter along the 300 South side of his home.

Council Member Glen Swalberg MOVED to replace the two portions of sidewalk, as requested, with Alan Roper and Millard County each paying 50% of the cost of repairing the existing curb, gutter and sidewalk adjacent to their property and Mr. Roper paying 50% of the cost of installation of the curb and gutter along 300 South. The motion was SECONDED by Council Member Gayle Bunker. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed with four ayes and one abstention.

Mayor Roper asked if there were any other comments, questions, or other items to be discussed. There being none, Council Member Robert Dekker MOVED to adjourn the meeting. The motion was SECONDED by Council Member. Mayor Roper asked if there were any comments or questions regarding the motion. There being none, he called for a vote. The motion passed unanimously.

Mayor Roper adjourned the meeting at 8:20 p.m.


R. DALE ROPER, Mayor


DOROTHY JEFFERY, City Recorder

MINUTES APPROVED: RCCM 04-27-98